

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: Starr Wilson (pro tem)
Date: 9/3/08

Plaintiff: United States

v.

No. CR-08-00099 CW

Defendant: Michael Martin (present)
Jessica Sanders (present)

Appearances for Plaintiff:
Keslie Stewart

Appearances for Defendant:
J. Tony Serra and Sara Zalkin for dft. Martin
Randolph Daar for dft. Sanders

Probation Officer:
Charles Mabie

Hearing: Sentencing

Notes: Jessica Sanders: Defendant and counsel have read PSR; no factual disputes. Court finds Offense Level 10; Criminal History I, leading to a guideline range of 6-12 months. Based on the plea agreement and recommendation of P/O, the Court places the defendant on three years probation under the usual terms and conditions with the special condition the defendant serve 6 months home detention with electronic monitoring and additional conditions as set forth in the PSR. Defendant to perform 100 hours community service as directed by P/O. No fine imposed due to lack of ability to pay a fine. Defendant to pay \$100 special assessment due immediately. Any remaining counts are dismissed. See J&C for details.

Michael Martin: Court finds Offense Level 19, Criminal History I, leading to a guideline range of 30-37 months. In consideration of 3553 factors and for the reasons as stated on the record, the Court places the defendant on five years probation under the usual terms and conditions with the special condition the defendant serve 12 months in a halfway house and 12 months home detention with electronic monitoring as directed by P/O. No fine imposed due to lack of ability to pay a fine. Defendant to pay \$100 special assessment due immediately. Any remaining counts are dismissed. Defendant can start home detention first until medical issue resolved and then go into halfway house. See J&C for details.

Copies to: Chambers

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND